IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA HUNTINGTON DIVISION

OHIO VALLEY ENVIRONMENTAL)
COALITION, WEST VIRGINIA)
HIGHLANDS CONSERVANCY, and)
THE SIERRA CLUB,	{
	\
Plaintiffs,)
) Case No. 3:21-cv-00301
V.)
	{
GLENDA OWENS, Acting Director,	\
Office of Surface Mining Reclamation and)
Enforcement,)
)
Defendant.)

STIPULATION OF THE PARTIES TO EXTEND ANSWER DEADLINE TO <u>ACCOMMODATE NEGOTIATION OF SETTLEMENT</u>

Pursuant to Local Rule 12.1 the Parties hereby Stipulate that the Answer Date shall be extended until December 15, 2021, to allow time to formalize the settlement of the remaining issue in this action. As grounds for this extension, the Parties incorporate by reference and restate herein paragraphs 1-4 of their prior stipulation dated September 20, 2021. *See* ECF Doc. 13. The remaining issue is Plaintiffs' entitlement to any reimbursement of costs of litigation and attorneys' fees. Counsel have reached a tentative agreement and are confirming final approval by the parties, but implementation of that agreement and resolution of the case cannot be accomplished before the current November 15 deadline. Counsel are confident that they can present a complete settlement or otherwise fully resolve this case on or before December 15, 2021.

Respectfully Submitted,

Date: Nov. 12, 2021

/s/ J. Michael Becher

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Date: Nov. 12, 2021

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